

Update Regarding Wyoming State HAVA Plan August 2004

The State of Wyoming has made considerable progress toward compliance with HAVA, Title III. Each aspect of the State Plan is addressed below:

- **Voting System Standards.** Wyoming has conducted a survey of voting equipment currently in use and has gathered considerable information from the County Clerks Association work group. In addition, county clerks from all counties which must replace equipment have gathered to discuss replacement issues. However, Wyoming has been waiting, and still awaits, the recommendation by the National Institute on Standards and Technology (NIST) and the guidelines from the Election Assistance Commission (EAC).
- **Provisional Voting.** Wyoming's statutes now provide for provisional voting. Both rules and a guidebook, *What's New for 2004? Election Administration Handbook*, will provide guidance in using provisional ballots as needed for the 2004 elections.
- **Voting Information.** A work group comprised of county clerks, the staff of Protection and Advocacy System Inc. and Secretary of State staff has designed a voting information poster which will be available for every polling place for the 2004 elections. In addition, Wyoming statutes provide for other dissemination of information to the public, including proclamations in newspapers of general circulation, posting of ballots for review, distribution of voter information and information pertaining to ballot issues.
- **Computerized, statewide voter registration list.** Wyoming has made considerable progress toward implementation of the statewide voter registration list. With the assistance of a voter registration work group, which consisted of county clerks, county elections officials, technology staff and Secretary of State staff, the state has chosen a vendor to implement, host and maintain the statewide voter registration list. A contract for the project has been signed. The company, Accenture e-Democracy, has staff in Wyoming and county site surveys and data conversion is underway. Expected completion date is late summer, early fall 2005, well before the 2006 deadline.
- **Payments.** Wyoming has received \$16.5 million in federal HAVA funds and was appropriated \$750,000 in state funds, which will to be used as the state match for Title II funds. Title I, Title II and state matching funds will all be kept in separate accounts as required for accounting purposes.

- **Voter Education, Election Official Education and Training, and Poll Worker Training.** Wyoming has begun its training efforts. A statewide conference was held highlighting *What's New for 2004? Election Administration Handbook*. The conference was well attended and all counties were represented. In addition, Secretary of State staff and a number of county clerks have attended national meetings pertaining to HAVA issues including voting systems, voter registration, and accessibility. The *Wyoming Election Judges Handbook* produced and distributed by the Secretary of State's Office was rewritten to reflect the changes needed to properly implement HAVA. The Secretary of State's Office partnered with the Wyoming Press Association to offer a HAVA training session at the Wyoming Press Association's annual statewide meeting. Although much has been, and is being, done in regards to voter education, election official education and training, and poll worker training, much lies ahead after the selection and deployment of replacement voting equipment.
- **Performance Goals.** Thus far Wyoming has met its basic performance goals, including implementation of provisional voting which meets the requirements of HAVA and implementation of a state-based complaint procedure which also meets the requirements of HAVA. Beyond this, Wyoming was successful in passing a legislative bill which addressed most other HAVA issues except voting systems (2004, Senate File 0047, Enrolled Act 22).
- **Additional aspects of Wyoming's State Plan.** In addition to those issues required to be addressed in states' plans, Wyoming chose to address the issues of universal access and voting rights of military members and overseas citizens.

Wyoming applied for and was approved for \$100,000 Health and Human Services, Election Assistance for Individuals with Disabilities (HHS-EAID) funds. Counties were involved in determining the use of such funds to improve polling place accessibility and to otherwise assist individuals with disabilities to fully participate in the election process. All of these HHS-EAID projects are complete. The State of Wyoming just recently applied for a second round of HHS - EAID funds has been approved for another allotment of \$100,000.

Wyoming continues to acknowledge the value of our members of the armed forces and overseas workers and continues to encourage them to exercise their right of citizenship by voting. Wyoming formed a military and overseas work group consisting of representatives of the county clerks, the military, and Secretary of State's Office. Pertinent statutes were amended, procedures to assist military voters were discussed at the statewide conference, and the Secretary of State's Office was designated as the one central point of initial contact for military and overseas voters.

Update Regarding Wyoming State HAVA Plan January 2005 - Progress Report

The State of Wyoming continues to proceed toward implementation of HAVA. Information is provided regarding a number of state implementation issues.

Computerized, statewide voter registration list. As discussed in the August 2004 Update, Wyoming with the assistance of a voter registration work group, which consisted of county clerks, county election officials, technology staff and Secretary of State staff, chose a vendor in fall 2003 and began implementation of a computerized, statewide voter registration and election management system in February 2004. The project is well underway. The vendor, Accenture e-Democracy Services completed the on-site technical survey of all 23 counties. Designs for interfacing with the Department of Transportation, Division of Vital Records, Division of Criminal Investigation and the Board of Parole are nearing completion. The design and programming for conversion of county voter registration and election management information is nearly complete. Purchasing and configuration of hosting site equipment is underway. Upon completion and configuration of the software package, intensive testing of the product will begin and roll out schedules will be finalized. The voter registration workgroup and Secretary of State's Office continues to work in partnership on this project.

Payments. Wyoming has received no further funding since the August 2004 Update, so receipts thus far are approximately \$16.5 million in federal funds and \$750,000 in state matching funds.

Voting Systems. Wyoming is starting the process of determining its course regarding voting systems. Once again the Secretary of State is proceeding in partnership with the Wyoming County Clerks Association. In addition, a Public Overview Committee has been established by the Secretary of State to provide public input and public transparency to the equipment and voting system selection process. The Public Overview Committee has representation from the League of Women Voters, the media, County Commissioners Association, major political parties, senior citizens, the military, Protection and Advocacy Services, Inc.

Additional aspects of Wyoming's HAVA progress. As reported in the August 2004 Update, Wyoming initially received \$100,000 Health and Human Services, Election Assistance for Individuals with Disabilities (HHS-EAID) funds. All of the projects funded with those funds are complete. The state has been approved for another allotment of \$100,000. Applications for those funds will be available soon and projects funded with "Round 2" monies are anticipated to be underway by spring, completed by summer '05.

In addition to the HAVA related legislation passed during the Wyoming Legislative Session 2004, there are two bills currently before the Wyoming Legislature: SF 70 Election Code Amendments, which contains some HAVA related language; and SF 80 Help America Vote Trust Fund. The 2005 Legislative Session will end on or about March 3, 2005.

September 8, 2005

John Tanner, Chief
Voting Section, Civil Rights Division,
Room 7254 - NWB
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, DC 20530

Dear Mr. Tanner:

This report is sent in response to the U.S. Department of Justice request for information regarding Wyoming's progress toward implementation of the federal Help America Vote Act of 2002 (HAVA).

Voting Systems:

Wyoming is scheduled to hold its first federal election in 2006 on August 22nd, which is a statewide primary election. It is anticipated that voting systems which meet the standards set forth in Section 301 of HAVA will be in place prior to January 1, 2006. The state is nearing the end of a process which has taken a number of months. In January '05 all voting equipment vendors which had equipment certified by National Association of State Election Directors (NASED) were invited to a vendor fair at which they could display equipment and make a presentation. Five vendors chose to attend. All twenty-three county clerks were represented at the event. Following this event, all county clerks determined which vendor could best meet their county's needs. Twenty counties chose Election Systems & Services (ES&S) and three counties, Carbon, Goshen and Laramie, chose Diebold Inc. In the few months following their selection, the state followed up with each company gathering information for due diligence. The state also obtained feedback from those individuals who had served on the state's Voting System Overview Committee as well as the state's primary groups representing the disability community. The state is now in contract negotiations with both companies. It is anticipated that the contract with ES&S will be completed before the end of September and equipment will be deployed, tested and paid for prior to December 15, 2005. There have been some difficulties in completing the contract with Diebold in large part due to turn over of staff in the company. However, it is still anticipated that the contract will be finalized soon and the equipment will be delivered prior to January 1, 2006. The twenty counties who selected ES&S equipment will use optical scan voting equipment and the AutoMark. The counties who chose Diebold will use optical scan equipment and the Diebold DRE. Both contracts when complete will be posted on the Secretary of State website and will be able to be accessed at soswy.state.wy.us/election/hava/hava.htm.

Computerized Statewide Voter Registration List:

Wyoming began the process of obtaining a statewide HAVA compliant voter registration list in March 2003. The Secretary of State appointed a Voter Registration Work Group, consisting of county clerks, county elections staff, county technology staff and Secretary of State employees. Four prominent vendors were invited to display their products to the Work Group and one vendor was contacted to explore the possibility of building a statewide system. Based upon the Work Group's review of products, the top two vendors were selected. After an attempt to contract with the first choice vendor did not come to reasonable resolution in August 2003, negotiations began with the next vendor who eventually obtained the contract. The state entered into a contract with Accenture e-Democracy services on February 27, 2004. The contract in its entirety is available on the Secretary of State's website at soswy.state.wy.us/election/hava/wyo-reg.htm. The state purchased a product called Elections Systems Manager (ESM), with an option to select a new product Accenture's Elections Systems Manager (AESM), if it chose to do so. The new product featuring .Net technology was demonstrated and accepted by the state in February 2004. Initially, the product was to be completed during the fall of 2004, with all counties being live on the system by July 2005. The product was developed with extensive functionality, however, and there were continuous time frame extensions. At present, the product, which has been purchased by Wyoming, Colorado and Wisconsin, is in system testing. It was anticipated that roll out to counties would begin on September 12, 2005 and the system would be live in all counties by December 18, 2005. However, just two weeks ago, the state, in conjunction with county clerk representatives, made the decision to not begin deployment to counties until the software had fewer bugs and was more stable. The new roll out schedule is still being negotiated, and it is now anticipated that the system will be live in all twenty-three counties by the end of February 2006.

The contract with Accenture is an end-to-end contract, meaning that Accenture will purchase and install equipment in all counties, will provide training for all county and state users, will host the software and database at a central location, will provide for a failover hosting site, will provide for all system security and will provide maintenance and help desk services through February 2009. All counties will use the same software. Data will be input at the county but will not be housed at the county. Rather, the data will be immediately transmitted via secure encryption utilizing Citrix Metaframe Client, via the Internet, to the central hosting site or, in case of an emergency, to the failover hosting site. In order to perform the required HAVA checks, the statewide database will interface with the Wyoming Department of Transportation, Division of Criminal Investigation, Board of Parole, and Department of Health Vital Records Services. The system will contain the name and registration information for each Wyoming voter, including a unique identifier for each voter. It will also meet the identification requirements under Section 303(b) of HAVA.

Appropriate documentation describing the development, design and operation of the database is contained in the contract (which is available at soswy.state.wy.us/election/hava/wyo-reg.htm) and in the requirements document attached.

Sincerely,

Joseph B. Meyer
Wyoming Secretary of State

enclosures

February 2, 2006

Mr. John Tanner, Chief
Voting Section, Civil Rights Division
Room 7254-NWB.
U.S. Department of Justice
950 Pennsylvania Ave. N.W.
Washington, DC 20530

Mr. Tanner:

This letter is in response to your letter dated January 19, 2006 in which you request a response from Wyoming regarding our state's compliance with certain requirements of the federal Help America Vote Act (HAVA) of 2002 ("HAVA"), 42 U.S.C. 15301 *et seq.*

The State of Wyoming continues to proceed toward implementation of HAVA.

Section 301 – Voting Systems Standards

The Wyoming Secretary of State partnered with the Wyoming County Clerks Association. In addition, a Public Overview Committee was established by the Secretary of State to provide public input and public transparency to the equipment and voting system selection process. The Public Overview Committee had representation from the League of Women Voters, the media, County Commissioners Association, major political parties, senior citizens, the military, Protection and Advocacy Services, Inc.

In January 2005 all voting equipment vendors which had equipment certified by the National Association of State Election Directors (NASSED) were invited to a vendor fair at which they could display equipment and make a presentation. Five vendors chose to attend. All twenty-three county clerks were represented at the event. Following this event, all county clerks determined which vendor could best meet their county's needs. Twenty counties chose Election Systems & Services (ES&S) and three counties chose Diebold Inc. In the few months following their selection, the state followed up with each company gathering information for due diligence. The state also obtained feedback from those individuals who had served on the state's Voting System Overview Committee as well as the state's primary groups representing the disability community. The state contracted with both companies. The contract with ES&S was completed before the end of September and equipment was deployed and tested prior to January 1, 2006. The contract with Diebold was finalized and the equipment was delivered and tested prior to January 1, 2006. The twenty counties who selected ES&S equipment will use optical scan voting equipment and the AutoMark. The counties who chose Diebold will use optical scan equipment and the Diebold DRE. The ES&S AutoMark and the Diebold DRE will meet the accessibility requirements of Section 301(a)(3), and are ready to use for the first federal election to be held August 22, 2006.

The contracts with ES&S and Diebold for the voting systems also include provisions for training staff and poll workers, which will be completed prior to June 1, 2006. In addition, the voting system contracts require the voting system vendors to provide the state with the materials for education of the voting public.

Each of the twenty three counties received a memorandum of understanding which enabled the Secretary of State's Office to transfer title, warranties and maintenance agreements to the systems to the counties.

The contracts for the voting systems can be accessed on the Secretary of State's website at: <http://soswy.state.wy.us/election/hava/systems.htm>

W.S. 22-14-114 describes what constitutes a vote in Wyoming. The statute reads:

22-14-114. Counting of ballots. For ballots designed to be counted by machine, each individual vote shall be determined by the voting equipment and shall not be determined subjectively by human tabulation except when the intent of the voter is unmistakable but the ballot was received in such damaged, soiled, or other condition that it is rejected by the machine. The secretary of state may promulgate rules establishing standards for counting such ballots. For ballots not designed to be counted by machine, only votes clearly marked, as provided by W.S. 22-14-104 and rules promulgated pursuant to this code, shall be tallied. For write-in votes, names which are misspelled or abbreviated or the use of nicknames of candidates shall be counted for the candidate if the vote is obvious to the board.

Section 303(a) – Computerized Statewide Voter Registration List

Wyoming, along with most other states, has been plowing through the long process of designing, developing, testing and soon deploying the statewide voter registration system. All of this came with the assistance of a voter registration work group, which consisted of county clerks, county election officials, technology staff and Secretary of State staff. Following demonstration from four vendors, and based on recommendations from Wyoming County Clerks, we chose a vendor in the fall of 2003, entered into contract negotiations and began design of a computerized, statewide voter registration and election management system in February 2004.

Wyoming's contract with Accenture is an end-to-end contract meaning that Accenture has purchased and installed equipment in all counties, will continue to provide training for all county and state users, will host the software and data base at a central location, will provide for a failover hosting site, will provide for all system security and will provide maintenance and help desk services through February 2009. All counties will use the same software. Data will be inputted at the county, but will not be housed at the county. Rather, the data will be immediately transmitted via secure encryption utilizing Citrix Metaframe client, via the Internet, to the central hosting site, or in case of an emergency to the failover hosting site. In order to perform the required HAVA checks, the statewide data base will interface with the Wyoming Department of Transportation, Divisions of Criminal Investigation, Board of Parole, and Department of Health Vital Records Division.

The vendor, Accenture e-Democracy Services, completed the on-site technical survey of all 23 counties. Designs for interfacing with the Department of Transportation, Division of Vital Records, Division of Criminal Investigation and the Board of Parole are complete. The design and programming for conversion of county voter registration and election management information is nearly complete. Purchasing and configuration of hosting site equipment is complete and ready for the software to be deployed in the 23 counties in Wyoming. Upon completion and configuration of the software package, intensive testing of the product was done and roll out schedules were finalized.

Wyoming chose to deploy the statewide system in two phases. The plan was to begin training for the Phase 1 counties the week of September 12th. However, in consultation with the county clerks, the Secretary of State's Office made the decision to hold off on training until the program was more polished. Although all of us who were working on this project would have loved to have it behind us, we were committed to not dropping a system on the counties until it was reasonably ready to go, knowing also that there will be continued upgrades over the life of the product, as is true of all systems, and until county personnel receives adequate training to operate the system.

Obviously, by holding off on rollout, all counties did not go live on the system by January 1st. The Secretary of State has addressed the Department of Justice regarding this issue, and chose not to force a system on the counties before it was appropriate to do so.

The counties in Phase 1 have been trained and continue to practice in the practice environment until they are scheduled to "Go Live" February 13th. The counties in Phase 2 are scheduled for training on the system beginning February 9th with a "Go Live" date of March 13th. The plan is for the whole state to be on the system and using the system completely by the first of April 2006. However, final acceptance and "Go Live" decisions are contingent upon completion of training within a reasonable time prior to the 2006 elections. The voter registration workgroup, Secretary of State's Office and Accenture continue to work in partnership on this project.

The contract with Accenture e-Democracy Services can be accessed on the Secretary of State's website at: <http://soswy.state.wy.us/election/hava/wyo-reg.htm>

Additional aspects of Wyoming's HAVA progress: Wyoming initially received \$100,000 Health and Human Services, Election Assistance for Individuals with Disabilities (HHS-EAID) funds. All of the projects funded with those funds are complete. The state has now been approved for the third allotment of \$100,000. Applications for those funds are available and projects funded with "Round 3" monies are anticipated to be underway by spring, completed by summer 2006.

Although not a required part of a state's HAVA plan, Wyoming chose to address the issue of universal access to voting. As stated in the original plan, "The State of Wyoming values the participation of its citizens in the election process. Therefore, Wyoming commits to assuring that all citizens, including those with disabilities, can fully participate in the election process by casting their ballots confidentially and independently." Wyoming Protection & Advocacy System, Inc. (P&A) and the Governor's Council on Development Disabilities have been helpful in assisting the state in this regard.

Requirements Payments and Fund Management: Wyoming was a “minimum funded” state under HAVA and therefore was scheduled to receive \$20 million in federal Title I and Title II funds. To date, Wyoming has received approximately \$16.6 million. The State of Wyoming appropriated the full state match of \$750,000 in anticipation of receipt of the federal dollars. To date, approximately \$580,000 has been used to match the federal funds received.

Wyoming has obligated \$8.8 million for the contract for a statewide voter registration system and contracted with the two companies for voting systems for the twenty three Wyoming counties, for a cost of \$6.3 million.

As we anticipated and stated in the original plan, and is still true today, “Implementation of such an enormous project will evolve over time; we must address the far-reaching ramifications detail-by-detail and decision-by-decision. Full implementation of the vision will take shape day by day.”

Sincerely,

Joseph B. Meyer
Wyoming Secretary of State

JBM/pln

cc: Pat Crank, Attorney General

**REPORT TO THE DEPARTMENT OF JUSTICE
Regarding the Help America Vote Act of 2002**

March 22, 2006

WYOMING

**Joseph B. Meyer
Secretary of State**

This report is submitted in an effort to inform the U.S. Department of Justice (DOJ) about Wyoming's efforts to implement the Help America Vote Act of 2002 (HAVA). It includes information about Wyoming's many accomplishments to date, additional activities which will be implemented during the 2006 election season, a report of the difficulties Wyoming is having trying to implement a statewide HAVA compliant voter registration system, and an outline of next steps toward full compliance. Wyoming has made good faith efforts regarding HAVA implementation. The state can easily document that it made earnest efforts beginning in the winter of 2003. Wyoming has been forthright in keeping the public and DOJ informed of its earnest activities and unforeseen difficulties.

HAVA Purposes and Requirements Outlined

Purposes of HAVA:

In reviewing Section 303 of HAVA, it appears as if the fundamental purposes of HAVA are:

1. To avoid disenfranchising any eligible voter;
2. To assure that no ineligible person votes;
3. To assure that no person votes more than once;
4. To avoid, and when necessary act upon, cases of fraud; and
5. To protect the integrity of federal elections.

Requirements of HAVA:

The requirements of HAVA as outlined in the Act are:

1. Develop state plan;
2. Replacement of punch card and lever voting machines;
3. Machines must provide a paper/audit trail;
4. Provide accessible equipment;
5. Buy machines that are error rate compliant;
6. Adopt a uniform definition of what constitutes a vote;
7. Provide for provisional balloting;
8. Establish a state-based complaint procedure for reporting of any election violations;
9. Single state agency for military absentee voters;
10. Military requirements of two general election cycles for absentee voters;
11. State must submit a report to the EAC;
12. Train election officials, poll workers & election volunteers;
13. Educate voters;
14. Improve accessibility & quality of polling places; and
15. Create a statewide voter registration list.

Wyoming's Progress Toward HAVA Compliance:

Wyoming has made consistent, steady progress toward full implementation of HAVA from the time it was enacted. Wyoming's State Plan was submitted on time and there has been constant progress toward implementation. The Plan has been reviewed appropriately. The Original State Plan, two annual reports and one update are attached for review. As can be seen in detail in these documents, which are posted on the Wyoming Secretary of State's website, Wyoming has met all

but one of its performance goals. Wyoming has:

- Implemented a state-based complaints procedure which meets all the requirements of HAVA.
- Enacted provisional voting statutes and provisional voting processes which were utilized during the 2004 election.
- Provided voting information at every polling place during the 2004 election.
- Replaced all punch card and lever voting machines and completed all testing of the machines. Training is underway.
- Replaced all central count voting equipment (except for the counting of absentee ballots). All testing of the machines is complete and training is underway.
- Provided at least one piece of accessible equipment for every polling place, either a DRE or AutoMark (touch screen) unit.

The equipment purchased by Wyoming does address the audit (paper trail) requirements of HAVA and allows an opportunity for the voter to change his vote before the permanent record is produced. All voting systems purchased meet the current NASED voting system standards.

Although not required as part of Wyoming's State Plan, Wyoming chose to address the issue of universal access to voting. The state has disbursed approximately \$300,000 in federal Health and Human Services (HHS) funds directly to counties and to Protection and Advocacy Inc. (P&A), for use in assisting people with disabilities to exercise their right to vote. In addition to making polling place improvements and purchasing assistive equipment, the state has formed an excellent alliance with Wyoming P&A to provide voter information to people with disabilities.

Another part of Wyoming's State Plan which was not required but chosen to be included by Wyoming concerns the military and overseas voters. Statutory provisions were implemented and the Office of Secretary of State was established as the single office responsible for providing information regarding voter registration procedures to be used by absent military and overseas voters. In addition, the state has taken action to provide an absentee ballot to any eligible voter through the next two scheduled general elections for federal office, if the voter so requests.

The Wyoming Legislature has also taken action toward an effective implementation of HAVA. The following Wyoming statutes have been created or modified specifically for the purposes of HAVA implementation: W.S. 22-2-121 (Chief election officer to prepare forms; rules; advice); W.S. 22-2-113 (Availability and form of registry lists; use of copies; election record; purging); W.S. 22-3-105 (Investigation of voter qualifications; Striking names from registry; notice; appeal); W.S. 22-3-108 (Official registry list information); W.S. 22-3-115 (Grounds for cancellation of registration); W.S. 22-3-117 (Absentee registration generally; use of federal postcard); W.S. 22-3-118 (Proof of identity); W.S. 22-9-101 *et seq.* (Absentee Voting); W.S. 22-15-105 (Challenged person may vote; generally (provisional voting)).

Statewide Effort:

All of the above accomplishments were achieved with the input and assistance of many public groups including:

- AARP
- Attorney General's Office
- Democratic Party
- Governor's Office
- League of Women Voters
- Military Representative
- Minority Population Representative
- Protection & Advocacy Services, Inc.
- Republican Party
- Student Representative
- Wyoming Association of Municipal Clerks & Treasurers
- Wyoming County Clerks Association
- Wyoming County Commissioners

The Wyoming County Clerks Association and many individual clerks gave innumerable hours and invaluable assistance to the implementation of all aspects of HAVA.

Present Situation:

Despite very best efforts, Wyoming has not been able to implement a new, HAVA compliant, voter registration system. A report was submitted to the U.S. Department of Justice on February 2, 2006 giving an historical overview of the project. That report outlined all activities to date and stated in part:

“ The counties in Phase 1 have been trained and continue to practice in the practice environment until they “Go Live” February 13th. The counties in Phase 2 are scheduled for training on the system beginning February 9th with a “Go Live” date of March 13th. The plan is for the whole state to be on the system using the system completely by the first of April 2006” (p. 3).

After the seven Phase 1 counties were trained on the system, a mock election was held the week of January 30, 2006, in accordance with the contract. Because of problems conducting the mock election, the mock election period was extended and the vendor provided on-site support to the counties. Despite best efforts, only 70% of the mock election tasks could be conducted successfully. The roll out plan was then revamped. Three counties chose to “Go Live” to allow the conversion process to be tested, four counties did not move forward, and the software development and training schedules for the rest of the counties were extended through March '06.

During the additional weeks, the vendor continued to work on the software product. The seven Phase 1 counties (6 clerks and 1 deputy clerk) plus Secretary of State staff met with the vendor in Denver, Colorado to review the product March 1-3. The purpose was to determine if the product could be delivered to the remaining counties and be used in upcoming elections without jeopardizing the integrity of the elections. The counties unanimously recommended to the

Secretary of State that the project be discontinued because there was too much risk for use in future elections.

The vendor was notified on Friday, March 3rd that the state wished to exercise its right to terminate the contract. A settlement agreement is being negotiated, the essence of which is that the state will receive all of its money back minus the equipment which the state chose to retain. The state had paid \$3.9 million to the vendor. The vendor will return \$3.7 million to the state and the state will retain all of the equipment which had been deployed to the counties. As of this date, a verbal agreement has been reached and paperwork drafted. There has been no final signing.

Factors to Consider as the State Moves toward Complete Compliance:

In determining a plan of action to move the state forward toward complete HAVA compliance, Wyoming considered many factors.

1. The integrity of elections is of ultimate importance. Wyoming has always run good elections with very few difficulties and no major difficulties have ever affected a federal election.
2. Wyoming is the least populated state in the United States with under 500,000 people statewide. We have a huge geographic area speckled with small towns and rural communities. This is an advantage when it comes to conducting elections. The smallness of the population means people in the communities actually know each other. It would thus be very difficult to actually perpetrate a voter fraud, especially of any magnitude.
3. There have been few reported cases of suspected voter fraud in Wyoming in the past 20 years and the three known cases were pursued.
4. The state of Wyoming avoids disenfranchising voters by virtue of being a same day voter registration state. Voters can register at the polls and vote.
5. To assure that only those individuals who are eligible to vote do vote, Wyoming statutes require that every person who registers must show an ID. A list of allowable forms of ID are contained in state rules.
6. Wyoming has had very few close elections and a close election for any federal office has not occurred in recent history. However, statutes are in place to address such circumstances. Wyoming has a mandatory recount statute applicable to any race that is with a 1% margin and state canvassing statutes that provide for a forum to address any matters of election concern.

Plan of Action:

Any plan of action intended to move the state toward complete compliance must be built around the purposes of HAVA. The state is already performing very well when it comes to not disenfranchising any eligible voter. Through same day voter registration, provisional ballots and an active public education program, including education of groups of individuals with disabilities, there is little, if any, possibility that an eligible voter would be disenfranchised.

There are already solid statutes and a workable network of agencies in place to assist in avoiding

cases of voter fraud and to take action if necessary.

There are many processes already in place to assure that no ineligible person votes and that no person votes more than once. Wyoming currently has a statewide voter registration list which is maintained at the state level. County clerks maintain their county's voter registration data and upload to the state voter registration list as directed by statutes. Also, the state receives information from the State Department of Health, Office of Vital Records regarding deaths of Wyomingites, and the Secretary of State's Office relays that information to county clerks so they can remove the names of deceased individuals from the voter registration rolls. In addition, the state currently receives information from the federal courts regarding felons who are no longer eligible to vote and the Secretary of State's Office also relays that information to the county clerks.

Next steps:

The next steps must be to continue toward the implementation of a HAVA compliant statewide voter registration list while continuing to protect the integrity of the elections. Therefore, we will place our initial efforts in improving those systems which we currently have or can reasonably implement before the 2006 election, rather than try to jam something in place and thus risk the integrity of Wyoming's election.

Improvement 1: Statewide Voter Registration List

Wyoming currently has a statewide voter registration system to which the counties upload once per year, according to state statutes. Three counties use the system as their primary voter registration system through on line access. The voter registration list resides on the state mainframe which is in a secure facility, which adheres to best security practices and technology. The Secretary of State will work toward a plan of increased uploading of data from the counties so the statewide voter registration data will be more current. The ideal goal as a possible step toward long term improvement would be to upload on a regular schedule during the election year and then 30 days prior to the election when voter registration closes so county and state lists will be synchronized immediately prior to the election. To execute this plan, the Secretary of State staff will need to coordinate with the State CIO, the Director of the IT Division at the State Department of Information and Technology (State ITD Director), the specific programmers responsible for the statewide list, and county clerks and IT staff.

A meeting was held with the CIO on March 16, 2006. HAVA issues were discussed and the Secretary of State's plan was discussed. The CIO has agreed to assist in moving the plan forward.

Times are scheduled for the Secretary of State staff to meet with the State ITD Director. The purpose is to explore the implementation of the plan for more frequent uploads. The specific programmers responsible for the statewide list report to the IT Director so the Director has the

authority to commit his agency's resources to this project, if it is technically feasible. Further

updates will be provided after that meeting.

Although use of the current statewide voter registrations list, with some modifications, may assist Wyoming in the 2006 election, Wyoming must now look for a viable long term plan. Toward that end, Wyoming is contacting vendors to request information from them. There are many vendors who have recently entered the elections marketplace and other vendors who are struggling to remain solvent in the midst of such national election change. Therefore, Wyoming's initial criteria in screening possible vendors to provide a voter registration system for Wyoming are:

1. The company must currently have already developed, built and tested a statewide voter registration system; and
2. The company must have implemented a statewide voter registration system in at least three states, or have contracts and be in the process of implementing a statewide voter registration system in at least three states; or
3. A state may offer its voter registration system to Wyoming if it has been successfully used in at least one election.

Improvement 2: Duplicate Record Checks

Currently the state uses the statewide voter registration list to check for duplicate voter entries. Counties are statutorily required to upload their voters' data once per year on February 15th and a duplicate records check is run soon thereafter. The Secretary of State will work toward a plan of increased duplicate records checks. The ideal goal as a possible step toward long term improvement would be to run a duplicate records check 60 days and 10 days prior to the primary and general election; and then 60 days after each election. The purpose of the first pre-election check would obviously be to find any duplicate listings. The resolution of any issues would then be checked just 10 days prior to the election. The check 60 days after the election is for the purposes of finding any duplicates to determine if the number of duplicates, if any, would have materially affected the outcome of the election and for prosecution of voter fraud, if appropriate. This is a feasible plan since the population of Wyoming is so low and the number of registered voters is only approximately 230,000.

To execute this plan, the Secretary of State staff will need to coordinate with the Director of the IT Division, the specific programmers responsible for the statewide list, and county clerks and IT staff.

Times are scheduled for the Secretary of State staff to meet with the State ITD Director. The purpose is to explore the implementation of the plan for additional duplicate records checks and at more useful times during the election process. As discussed above, the specific programmers responsible for the statewide list report to the ITD Director so the Director has the authority to commit his agency's resources to this project, if it is technically feasible. Further updates will be provided after that meeting.

One excellent aspect of Wyoming's current voter registration list is that it was recently updated by all counties and it contains very clean data. During the process of preparing for roll out of the

planned Wyo-Reg program, the vendor worked with all counties to eliminate any duplicates, clean up any partial records and fix any typos or other things which cause “dirty data” (Dirty data does

not necessarily mean duplicate, or inappropriate records, just mistakes in legitimate records or partial fields of data which were not assigned to any particular voter.)

Improvement 3: Death Records

Currently there is no electronic system to obtain notices of death records from the Wyoming Department of Health, Vital Records Division. The Division sends death records to the Secretary of State’s Office on paper, on an unscheduled basis. Secretary of State staff then distributes the information through the mail to each appropriate county. The ideal goal as a possible step toward long term improvement would be to obtain the death records from the Division of Vital Records in electronic format and then forward them electronically to the counties. A simple PDF format would work. If the Secretary of State’s Office cannot get the death records electronically, at a minimum, the paper copy could be converted by the Secretary of State’s Office to PDF and sent electronically to the counties, saving transport time.

In addition to obtaining the records electronically, it would be very advantageous to obtain the death records on a schedule that better fits with checking election records in a timely manner. It would be ideal if the timing of the deletions due to death would coincide with the duplicate records check. In this way, the voter registration lists would be the most accurate immediately prior to the primary and general election.

To determine in what manner this plan can be executed, Secretary of State’s staff will meet with Director and other key players from the Division of Vital Records. The focus will be twofold, speeding up the process by transporting data to the counties electronically, and obtaining the data at better times. Further updates will be provided after meeting(s) with the Division of Vital Records.

Improvement 4: Felon Checks

Currently in Wyoming the Secretary of State’s Office receives information from the federal courts regarding felons who are no longer eligible to vote and the Secretary of State’s Office relays that information to the county clerks. However, the Secretary of State’s Office has no access to the records of the Wyoming Division of Criminal Investigation (DCI). During the development of the Wyo-Reg program an interface was developed to bring felon records into the Wyo-Reg system. It took months of planning and programming to develop that interface and that portion of the Wyo-Reg program seemed to be operating properly. Unfortunately, there is not a direct programming correlation between transporting data from DCI to Wyo-Reg and transporting data from DCI to the state mainframe where the statewide voter registration data is housed. However, there may be something salvageable or information that is useable in trying to match current voter registration data with felon data.

To explore this option the Secretary of State staff will need to coordinate with the Director of the IT Division, which houses both the state’s voter registration system and the state’s DCI

information. If that meeting shows any potential for a matching of DCI and voter registration data, the Secretary of State's Office will proceed in meeting with the DCI administrators and the programmers responsible for the two programs. If a matching system is even possible, the timing of the matches should coincide with the duplicate checks and death records checks. The viability of such a matching system is unknown at this time.

Improvement 5: Restoration of Voting Rights

There is another aspect of checking felon records. Under Wyoming law, restoration of a felon's voting rights is granted by the Wyoming State Board of Parole. Therefore, restoration of rights information resides with the Office of the Board of Parole. Once again, due to the low population in Wyoming, the number of felon records with restored voting rights is quite low. Through the Wyo-Reg project, we were able to assist the Office of the Board of Parole to convert their records from paper to an Excel spreadsheet. The goal, even though Wyo-Reg is not moving forward, is to obtain the restoration records electronically, on the schedule previously discussed, forward that information to the county clerks so they can update their voter records, both quickly and timely.

Improvement 6: Drivers License - Social Security Information - Unique Identifier

This is the most difficult portion of the HAVA for Wyoming to address now that the Wyo-Reg project has not been successful so close to the 2006 primary election. Wyoming is not a Motor Voter State. Therefore, Wyoming does not have any already existing tie into Department of Transportation (DOT) information. Complicating matters is the fact that the state of Wyoming does not have a state owned telecommunications backbone interconnecting all counties which would presently be substantial enough to transport election information. All counties have Internet access but the bandwidth and transmission speed varies widely across the state. In working with counties through the Wyo-Reg project, it was becoming increasingly apparent that even functioning software would likely transmit data slowly, given the connectivity of most county offices.

Therefore, one goal would be to work toward a long term plan of reassessing each county's connectivity options putting in place a decent infrastructure upon which a statewide voter registration system can run.

A second goal would be to work toward a long term plan to obtain a voter registration system which is HAVA compliant and which perhaps has a small enough "footprint" to move data rapidly on a reasonable amount of bandwidth.

Once the above two goals are addressed, it would then be possible to rebuild an interface from DOT to the HAVA compliant voter registration system. The Secretary of State's staff spoke previously with the CIO and the Director of ITD regarding an "interim" connection just for use in the '06 election. The CIO and the Director of ITD were concerned that a minimum of 7 months would be needed to come up with and implement any possible option of interfacing with the current DOT system. At this late date, given an August Primary Election, this is not an option to pursue for the short run. These more difficult aspects will be explored fully after the reasonably obtainable improvements are underway. Interconnectivity between counties and the state and

electronic interfaces between the statewide voter registration system and other state agencies will definitely be worked out in the long run to reach full HAVA compliance as quickly as is reasonably possible without jeopardizing the 2006 elections.

Once a voter registration system is obtained and the DOT interface is completed, it will then be possible to also interface with the Social Security Administration (SSA) through the American Association of Motor Vehicle Administrators (AAMVA) to obtain a match on the last 4 digits of an individual's social security number, when a driver has no appropriate driver's license.

The current state of Wyoming voter registration system does issue a unique identifier to each voter within the state. Although this is a good start toward each voter having a unique ID, we have yet to determine if this unique number can stay with a voter should the voter transfer to another jurisdiction. This is another issue which must be discussed with the Director of the IT Division and the specific programmers responsible for the statewide list. Times are scheduled for the Secretary of State staff to meet with the State ITD Director. More information will be provided to DOJ once we have discussions about all of these issues with appropriate persons.

Improvement 7: Statewide Voter Registration Application Form

Currently Wyoming does not have a statewide voter registration form, rather each county develops and uses its own form which must comply with state statutory standards. Through the process of working on the Wyo-Reg project, a standard voter registration application form was developed. That form, with some modifications, can now be used by all counties within Wyoming to bring more uniformity to the voter registration application process. The Secretary of State's staff and county clerks have been working on finalizing a useable, and statutorily proper form. That form will soon be distributed to all counties for use for the upcoming election season.

Improvement 8: Expanded Absentee Voting

In the 2006 Legislative Session, which just ended March 11, 2006, a new law was passed which expanded absentee voting for Wyomingites (Enrolled Act 45, awaiting Governor's signature). Although not directly related to HAVA, the law will allow Wyomingites greater opportunity to cast a ballot. As part of that act, (22-9-125(c)), the Secretary of State's Office was authorized to adopt rules to guard against abuses of the elective franchise. The Secretary of State's Office will elect to adopt such rules in time for the 2006 primary election.

Improvement 9: Definition of What Constitutes a Vote

Wyoming has a statute which addresses the issue of what constitutes a vote. W.S.22-14-114. Counting of ballots states:

For ballots designed to be counted by machine, each individual vote shall be determined by the voting equipment and shall not be determined subjectively by human tabulation except when the intent of the voter is unmistakable but the ballot was received in such damaged, soiled, or other condition that it is rejected by the machine. The secretary of state may promulgate rules establishing standards for counting such ballots. For ballots not designed to be counted by machine, only votes clearly marked, as provided by W.S. 22-14-104 and rules

promulgated pursuant to this code, shall be tallied. For write-in votes, names which are misspelled or abbreviated or the use of nicknames of candidates shall be counted for the candidate if the vote is obvious to the board.

The Wyoming State Plan states: "After it is determined which system(s) will be used, rules will be promulgated through the usual rule making process to address uniform use of the equipment and will designate what constitutes a vote for each specific type of voting equipment" (p. 14).

All equipment was deployed to Wyoming counties, and testing was completed and required repairs or replacements made by December 31, 2005. Now that equipment has been deployed, tested and the training has recently begun, the Secretary of State's Office will now begin the rule making process to complete the requirements of this portion of HAVA. The Secretary of State's Office will adopt the rules in time for the 2006 primary election.

Reporting:

As can be seen through this report, the Wyoming Secretary of State has acted in good faith to implement all aspects of HAVA. The Secretary of State's Office has done so while hiring no full time staff and while spending few HAVA dollars on administration or overhead. Rather funds have been directed specifically at those activities which will directly benefit voters, such as purchase of voting equipment and improved access for individuals with disabilities. Wyoming has also implemented HAVA through a very open and public process by involving a variety of interested groups, and has made reports available on the state's website.

Wyoming will continue in this vein, making its progress toward HAVA compliance a matter of public involvement. The Wyoming Secretary of State's Office expects to be in frequent contact with DOJ to report on those improvements which can be safely implemented for the 2006 election and to lay out a plan for eventual full compliance with the law.

**REPORT TO THE DEPARTMENT OF JUSTICE
Regarding the Help America Vote Act of 2002**

April 12, 2006

WYOMING

**Joseph B. Meyer
Secretary of State**

1 Tasks Since the Last Report

During the last two weeks, since our last report, we have met with many other state agencies in an effort to see what resources are available to us in order to continue toward implementation of a statewide voter registration system.

We met with the State ITD Director and his staff to discuss a timelier statewide voter registration database, duplicate checking, and possibilities of interfaces with other agencies. We also have met with key representatives of the Department of Transportation, Department of Health, Vital Records Division, and Division of Criminal Investigation.

At the suggestion of the Department of Justice (DOJ), we contacted the following states: Arizona, California, Maine, Nevada, and Washington.

2 Short Term Possibilities

We have two projects before us in our attempt to become fully HAVA compliant. First, we are attempting to put processes in place for a statewide voter registration system for 2006. Given the short timeframe and technological options available to us, the 2006 solution will not likely suffice as a long term solution. Therefore, the second project before us is to simultaneously consider long term options. This is discussed in Section 4 below.

In our last report, dated March 22, 2006, we listed nine (9) improvements which would attempt to bring Wyoming to full HAVA compliance:

Improvement 1: Statewide Voter Registration List:

As stated in our previous report, we currently have a statewide voter registration system which counties are statutorily required to upload to only once per year, and 30 days prior to the primary and general elections. In working with ITD, they have agreed to build a web interface to the current voter registration database which is housed on the state mainframe. We are currently contracting for individuals with programming expertise in FOCUS applications. Sufficient programming resources were not available through ITD since FOCUS is an old programming language. In addition, programmers must be hired to augment ITD's staff in order to accomplish the work required within such short timeframes.

Via the web interface, counties will be able to upload data from their current voter registration systems into this one statewide voter registration database. However, in order to do so, each county will need to modify their current voter registration application to create a data extract containing specific fields which are uniform for each county. It should be noted that some of the 23 counties do not have any IT support, especially rural

counties, and will need State assistance to contract for the technical help which they will need.

The frequency of uploading data from counties to the state voter registration system needs further discussion with the Department of Justice.

Improvement 2: Duplicate Record Checks:

In our previous report, we had hoped to be able to run duplicate record checks 60 days and 10 days prior to the Primary and General Elections and 60 days after each election. In working with ITD on the solution described in Improvement 1 above, we have found a way to conduct duplicate checks immediately upon upload of the county data. Any voter records which are found to have a possible duplicate will not be uploaded into the voter registration system. Rather, a message or report will be returned to the county with relevant information so the local jurisdiction can investigate further if appropriate and make a final determination regarding that voter record.

Improvement 3: Death Records:

As you will see below, there will likely be electronic solutions for the required interfaces with the Division of Criminal Investigation, the Department of Transportation, and the Social Security Administration. However, there is no viable interface for the short term with the Division of Vital Records. We had previously created an interface for the WyoReg project but it is not currently usable. A private provider supports the Division of Vital Records data and cannot reprogram an electronic interface in the amount of time available. Further, the Division of Vital Records is in the process of migrating their data from their current system to a new program thus making direct interfacing impossible at this time. Therefore another solution had to be determined.

In order to assure that current voter registration data does not include records of any individuals who are deceased, we are attempting to arrange for a one-time data extract of death records against which voter registration records will be matched. After that data check, the Division of Vital Records has agreed to provide an Excel extract of death records to the Secretary of State's Office monthly through June and then weekly from July through November. The Secretary of State's Office will then immediately forward the Excel death record data to the counties for voter registration record maintenance.

Improvement 4: Felon Checks:

After discussions with state ITD staff and DCI officials, it has been determined that an interface can be built in order to match voter registration records with DCI felon information. This match against available DCI felon record data will occur when the counties upload to the state voter registration system. Any voter records which are found to have a possible felon match will not be uploaded into the voter registration system. Rather, a message or report will be returned to the county with relevant information so the local jurisdiction can investigate further if appropriate and make a final determination regarding that voter record.

Improvement 5: Restoration of Voting Rights:

As stated in our previous report, under Wyoming law restoration of a felon's voting rights is granted by the Wyoming State Board of Parole. We are attempting to have the Board of Parole office submit a notice to the Secretary of State's office each time an individual's voting rights have been restored. We believe this is a realistic and reasonable solution since there is currently less than a dozen restoration of voting rights records and rights are restored infrequently. As we do receive any information pertaining to restoration of voting rights, that information will be immediately forwarded to the appropriate county.

Improvement 6: Drivers License – Social Security – Unique Identifier:

In our last report, we stated that we believed that interfacing with the Department of Transportation and Social Security Administration would be our greatest challenge. After discussions with state ITD staff and DOT administrators, we are pleased to report that it appears as if it will be possible to match voter registration information with drivers' license records. Additionally, we will be able to salvage the previous interface between the Department of Transportation and AAMVA to access social security information. All necessary arrangements have been made through AAMVA and SSA and, in fact, that interface was operable for a short period of time for the WyoReg project and continues to be available for the upcoming interface.

The state system which is being modified will be able to assign a unique identifier to each voter record. However, the ITD staff is unable to find a way, given the mainframe technology and programming, to have this unique identifier track with a voter record if that individual voter moves to another county. Once a long term solution is determined, we will provide that functionality.

Improvement 7: Statewide Voter Registration Application Form:

In an effort to bring more uniformity to the voter registration application process as promised in the previous report, a uniform voter registration application form and directive was issued to all counties on March 28, 2006. This action item has been completed.

Improvement 8: Expanded Absentee Voting:

As discussed in the previous report, a new law was recently implemented in Wyoming expanding absentee voting options. The Secretary of State's Office, with the assistance of the County Clerks Association, has written rules necessary for implementation of this statute. The rules are currently under review by the Wyoming Attorney General's Office and it is expected that they will be promulgated and in effect prior to the 2006 Primary Election.

Improvement 9: Definition of What Constitutes a Vote:

According to Wyoming Statute and the Wyoming State HAVA Plan, the Secretary of State is to promulgate rules addressing standards for counting ballots and uniform use of voting equipment; and designating what constitutes a vote.

Now that training on the newly purchased voting equipment is underway, the County Clerks Association and Secretary of State's Office have begun its work on writing the required rules.

In addition to having a statewide voter registration list, kept as accurate as possible through the checks outlined above, it is necessary to use that list as a basis for the conduct of the election. Since many counties have some form of election management capability which surpasses that which the State could build in such a short timeframe, it seems wise to let counties use that capability for the short term as long as the county databases and the statewide database are in sync. To assure this, for the purposes of the conduct of the election, counties will upload to the statewide database and reconcile all records prior to freezing both the county and state systems for the election. The State will then print and maintain the formal statewide voter registration list which shall be the official list for conduct of the election. The counties will use their portion of the official list (which resides at the local level) for printing of poll books, tracking of absentee ballots, and other election management activities. The exception to this will be the three counties who do not have a local system. For these counties, the state will provide poll book generation services.

Remember, Wyoming allows voters to register on election day. Therefore, following the election, voter registration applications will be entered into the county databases and updated to the statewide master list as described above.

Wyoming is continuing daily to act in good faith to implement all aspects of HAVA and to have as many requirements of a HAVA compliant voter registration system as possible in place for the 2006 election. However, in keeping with the purposes of HAVA, we have an obligation to protect the integrity of the election process. Therefore, we have made the decision that if the short term solution is not in place and stable by July 15, 2006, it should be placed on hold until after Wyoming's August 22nd Primary Election. The project will then resume after September 1st when canvassing, candidate filing periods, and recount periods have ended.

3 Contact with Other States

At the suggestion of the Department of Justice, we contacted the following states: Arizona, California, Maine, Nevada, and Washington. We found all states to very helpful and the discussions informative.

The key topics we culled from these discussions were:

- Suggestions regarding interim-solutions and long term plans;
- Separating voter registration and required reporting from other election management activities;
- Suggestions regarding duplicate checks and interfaces;
- Suggestions regarding the standardization of data uploaded from the counties; and
- Timing of data uploads and various record checks.

4 Options for Long Term Solution

After discussions with other states and Wyoming's ITD staff, it appears as if one long term solution, which should be investigated further, is providing a voter registration/election management system to counties, requiring that system to simultaneously record to the statewide official database, as well as a local database. For Wyoming, the advantage of such a plan is that it may solve some of the connectivity problems which we face in a state of such large geography and difficult terrain. One of our previous concerns, even with the WyoReg project, was the performance of a statewide system where both the application and data were housed at a central location. By housing only the database at a central location, previous performance concerns may be mitigated. A local copy of the database may also provide redundancy which could be necessary if weather conditions were to cause outages or interruptions during the election period. We are in the process of contacting major vendors to see what products may be available and we are also following-up with the State of Washington to possibly obtain their program.

**REPORT TO THE DEPARTMENT OF JUSTICE
Regarding the Help America Vote Act of 2002**

August 7, 2006

WYOMING

Joseph B. Meyer
Secretary of State

1 Tasks Since the Last Report

Since the last report on April 12, 2006 Wyoming has taken many steps to proceed with the plans of action which were discussed in past reports to the Department of Justice.

2 Voter Registration – short term plan

As reported previously, Wyoming has two projects before us in our attempt to become fully HAVA compliant. First, we are attempting to put a process in place for a statewide voter registration system for 2006. Given the short timeframe and technological options available to us, the 2006 solution will not fully suffice as a long term solution. Therefore, the second project before us is to complete the fully HAVA compliant long term system.

First we will address the short term solution. We have made significant progress in this regard. In our report, dated March 22, 2006, we listed nine improvements which would attempt to bring Wyoming to full HAVA compliance. Three we reported on previously. For the other six we will list each one below with comment as to progress made.

In the March plan we stated:

“Improvement 1: Statewide Voter Registration List:

As stated in our previous report, we currently have a statewide voter registration system which counties are statutorily required to upload to only once per year, and 30 days prior to the primary and general elections. In working with ITD (Information Technology Division of the State Department of Administration and Information), they have agreed to build a web interface to the current voter registration database which is housed on the state mainframe. We are currently contracting for individuals with programming expertise in FOCUS applications. Sufficient programming resources were not available through ITD since FOCUS is an old programming language. In addition, programmers must be hired to augment ITD’s staff in order to accomplish the work required within such short timeframes.

Via the web interface, counties will be able to upload data from their current voter registration systems into this one statewide voter registration database. However, in order to do so, each county will need to modify their current voter registration application to create a data extract containing specific fields which are uniform for each county. It should be noted that some of the 23 counties do not have any IT support, especially rural counties, and will need State assistance to contract for the technical help which they will need.

The frequency of uploading data from counties to the state voter registration system needs further discussion with the Department of Justice.”

We paid for staff to augment state resources and through ITD we hired a .NET programmer and a FOCUS programmer. The web interface for the existing state voter registration system has been completed. The Secretary of State's Office, and a hired contractor, worked with all 23 Wyoming counties to assist them in modifying their current voter registration applications to create a data extract containing specific fields which are uniform for each county. In some cases we used HAVA funds to pay for a third party vendor to make the modifications for counties, in some cases we consulted with a county's IT staff, and in some cases the contractor hired by the Secretary of State actually did some programming to assist counties in being able to reach the goal of submitting data in a uniform format. The system went live on Monday July 17, 2006 and all 23 counties are now using the system. Orchestrating this work has not been without difficulty since the counties' systems are varied and many of the counties' systems are quite old.

Improvement 2: Duplicate Record Checks:

In our previous report, we had hoped to be able to run duplicate record checks 60 days and 10 days prior to the Primary and General Elections and 60 days after each election. In working with ITD on the solution described in Improvement 1 above, we have found a way to conduct duplicate checks immediately upon upload of the county data. Any voter records which are found to have a possible duplicate will not be uploaded into the voter registration system. Rather, a message or report will be returned to the county with relevant information so the local jurisdiction can investigate further if appropriate and make a final determination regarding that voter record.

Duplicate records checks are being performed when the counties upload daily. A match of a potential duplicate prohibits the record from being entered into the system. The county is notified of the possible duplicate. After records are reconciled by the county, the proper record is uploaded.

Improvement 3: Death Records:

As you will see below, there will likely be electronic solutions for the required interfaces with the Division of Criminal Investigation, the Department of Transportation, and the Social Security Administration. However, there is no viable interface for the short term with the Division of Vital Records. We had previously created an interface for the WyoReg project but it is not currently usable. A private provider supports the Division of Vital Records data and cannot reprogram an electronic interface in the amount of time available. Further, the Division of Vital Records is in the process of migrating their data from their current system to a new program thus making direct interfacing impossible at this time. Therefore another solution had to be determined.

In order to assure that current voter registration data does not include records of any individuals who are deceased, we are attempting to arrange for a one-time data extract of death records against which voter registration records will be matched. After that data check, the Division of Vital Records has agreed to provide an Excel extract of death records to the Secretary of State's Office monthly through June and then weekly from July through November. The Secretary of State's Office will then immediately forward the Excel death record data to the counties for voter registration record maintenance.

We had great success in implementing a system which would allow us to check death records. Despite the fact that there was a migration of the Division of Vital Records data base, and despite the fact that we thought our only option was to use a monthly Excel spreadsheet, we were able to construct a system that accommodates the matching of the voter registration updates from counties with death records. The records which the counties upload by 6:00 pm on one day are "matched" against death records data which is updated nightly. Counties receive online notice of potential death record matches. We were very pleased to be able to implement this portion of the system.

Improvement 4: Felon Checks:

After discussions with state ITD staff and DCI officials, it has been determined that an interface can be built in order to match voter registration records with DCI felon information. This match against available DCI felon record data will occur when the counties upload to the state voter registration system. Any voter records which are found to have a possible felon match will not be uploaded into the voter registration system. Rather, a message or report will be returned to the county with relevant information so the local jurisdiction can investigate further if appropriate and make a final determination regarding that voter record.

The voter registration records which the counties upload by 6:00 pm on one day are "matched" against felony data which is updated nightly. Counties receive online notice of potential felon record matches.

Improvement 5: Restoration of Voting Rights:

As stated in our previous report, under Wyoming law restoration of a felon's voting rights is granted by the Wyoming State Board of Parole. We are attempting to have the Board of Parole office submit a notice to the Secretary of State's office each time an individual's voting rights have been restored. We believe this is a realistic and reasonable solution since there is currently less than a dozen restoration of voting rights records and rights are restored infrequently. As we do receive any information pertaining to restoration of voting rights, that information will be immediately forwarded to the appropriate county.

The Board of Parole will notify the Secretary of State's Office by e-mail of any individual whose voting rights have been restored. The Secretary of State's Office will in turn immediately notify the county clerk.

Improvement 6: Drivers License – Social Security – Unique Identifier:

In our last report, we stated that we believed that interfacing with the Department of Transportation and Social Security Administration would be our greatest challenge. After discussions with state ITD staff and DOT administrators, we are pleased to report that it appears as if it will be possible to match voter registration information with drivers' license records. Additionally, we will be able to salvage the previous interface between the Department of Transportation and AAMVA to access social security information. All necessary arrangements have been made through AAMVA and SSA and, in fact, that interface was operable for a short period of time for the WyoReg project and continues to be available for the upcoming interface.

The system which we implemented on July 17th does indeed have the capability to perform a check with the SSA through the Wyoming Department of Transportation and AAMVA.

The state system which is being modified will be able to assign a unique identifier to each voter record. However, the ITD staff is unable to find a way, given the mainframe technology and programming, to have this unique identifier track with a voter record if that individual voter moves to another county. Once a long term solution is determined, we will provide that functionality.

Again, we were able to do better than we had anticipated. The system which has been implemented has the ability to issue a unique identifier regardless of which county enters the voter registration. However, the interim system does not track voter history, therefore the unique ID does not follow a voter's moves from county to county. This issue will be addressed in the long term solution.

3 Voter Registration – long term plan

In addition to having a statewide voter registration list, kept as accurate as possible through the checks outlined above, it is necessary to use that list as a basis for the conduct of the election. Since many counties have some form of election management capability which surpasses that which the State could build in such a short timeframe, it seems wise to let counties use that capability for the short term as long as the county databases and the statewide database are in sync. To assure this, for the purposes of the conduct of the election, counties will upload to the statewide database and reconcile all records prior to freezing both the county and state systems for the election. The State will then print and maintain the formal statewide voter registration list which shall be the official list for conduct of the election. The counties will use their portion of the official list (which resides at the local level) for printing of poll books, tracking of absentee ballots, and other election management activities. The exception to this will be the three counties

who do not have a local system. For these counties, the state will provide poll book generation services.

In order to help assure uniformity in the conduct of the election with all the new HAVA requirements and new equipment, the Secretary of State's Office issued 8 Directives to the counties. One of those Directives pertained to use of the voter registration system and freezing entries into the system immediately prior to the election so the county and statewide voter registrations systems will be in sync.

The other Directives pertained to possession of ballots, ballot color, marking of the ballots, ballot design, closing of the polls and statistical reporting.

After discussions with other states and Wyoming's ITD staff, it appears as if one long term solution, which should be investigated further, is providing a voter registration/election management system to counties, requiring that system to simultaneously record to the statewide official database, as well as a local database. For Wyoming, the advantage of such a plan is that it may solve some of the connectivity problems which we face in a state of such large geography and difficult terrain. One of our previous concerns, even with the WyoReg project, was the performance of a statewide system where both the application and data were housed at a central location. By housing only the database at a central location, previous performance concerns may be mitigated. A local copy of the database may also provide redundancy which could be necessary if weather conditions were to cause outages or interruptions during the election period.

We have contacted, and gathered information from many voting system vendors so we will have the information to review after Wyoming's Primary Election on August 22nd. As you know Wyoming's Secretary of State is term limited. There are two Republican candidates for Secretary of State and no Democratic candidate filed; however by state law there could be a Democratic candidate following the Primary if a candidate receives a threshold number of write-in votes. Therefore, we will know by September whether one of the Republican candidates will likely be Secretary of State or if the contest will proceed on to the General Election in November. [It is always possible for a write-in candidate to win the November election but is it not statistically likely.] We report this issue so you will know that we plan to proceed to completion of a fully HAVA compliant voter registration system as soon as possible following our Primary Election and as soon as a clear, long term direction can be obtained. It would be unwise to use HAVA funds to move forward in one particular direction if there is any significant chance that the direction could change with a new administration. We will proceed diligently as soon as it is wise to do so, no later than January when a new Secretary of State will take office.

Of particular note in this regard is the fact that the "back end" of the voter registration system which was implemented in July can be used for the long term solution. All required HAVA interfaces which are part of the voter registration system implemented in July can, and likely will, remain in operation. The county portions of the system need to be brought into full compliance.

4 Voting Systems

As previously reported, Wyoming deployed and performed initial testing on all voting equipment during winter and early spring 2006. Training for all counties was conducted in April and May with completion in June. Counties then moved right into ballot preparation activities for the August 22nd Primary Election. There have been some problems with the voting systems but each problem has been addressed as it arose so it could be resolved before it would have any ill effect on the election itself. For example, of the 20 counties who have new ES&S equipment, all 20 had their PCMCIA cards replaced because ES&S believed those cards could be faulty. These cards are necessary for ballot tabulation. Following that, 13 of the 20 counties had to receive new PCMCIA cards again, either to replace the replacements or to replace ones that were needed to count demonstration ballots but which had malfunctioned. All faulty cards have since been replaced. It has been necessary for the Secretary of State's Office to frequently engage with ES&S on behalf of the counties in order to get the repair or replacement of equipment or the service which is necessary. The three Diebold counties appear to have prepared for the conduct of the upcoming election without difficulty.

5 Voter Education

All county clerks received voter education posters and information cards which they could distribute to voters with instructions about properly marking optical scan ballots and the availability of accessible voting equipment. Voter education radio and newspaper ads begin statewide on August 7th and continue until Primary Election Day, August 22nd.

6 Accessibility

We have been working diligently with Protection & Advocacy Inc. (P&A) in order to reach the disability community. We purchased every type of voting equipment which voters will use in Wyoming and provided it to P&A, along with a full supply of demonstration ballots, so they could demonstrate the equipment throughout the state. Members of the P&A staff were trained by county clerks about proper use of the equipment and the P&A staff are on a statewide tour bringing the instruction to disability groups in every county of the state. The relationship between Wyoming Protection & Advocacy Inc, the Secretary of State's Office and the counties has been developed over many years and is one of cooperation and positive accomplishment.

Wyoming is completing the fourth round of disbursement of HHS (Health and Human Services - EAID funds) to counties for assistance in making polling places accessible for voters with disabilities. In addition Protection & Advocacy Inc. has worked with many counties providing assistance and will have staff available to assist counties with any issues which might come up on Election Day.

**Update to Help America Vote Act: Wyoming's State Plan
Submitted June 2008**

**Max Maxfield
Secretary of State
State of Wyoming**

This update to Wyoming's Help America Vote Act (HAVA) plan follows the original plan written September 2003 and the previous updates written August 2004, January 2005, September 2005 and October 2007. There were also reports to the U.S. Department of Justice on August 7, 2006 and May 29, 2007 providing updates about Wyoming's efforts and accomplishments toward full HAVA compliance. The original plan, subsequent updates, and information provided to the Department of Justice are posted on the Secretary of State's website at soswy.state.wy.us/election/hava/hava.htm. The State of Wyoming continues to conduct its elections under the guidance of the Help America Vote Act (HAVA) and Wyoming's state statutes. All required aspects of HAVA have been completed and all statewide elections are conducted in accordance with HAVA.

Voting Systems:

As previously reported, Wyoming held a statewide primary election on August 22, 2006, which included federal races. Voting systems which met the standards set forth in Section 301 of HAVA were in place prior to January 1, 2006. After reviewing possible voting systems, twenty counties chose Election Systems & Services (ES&S) and three counties chose Diebold Inc. In the few months following their selection, the state followed up with each company gathering information for due diligence. The state also obtained feedback from those individuals who had served on the state's Voting System Overview Committee as well as the state's primary groups representing the disability community. The state contracted with both companies. All ES&S equipment was deployed, tested and paid for prior to December 15, 2005. All Diebold equipment was delivered prior to January 1, 2006. The twenty counties who selected ES&S equipment use optical scan voting equipment and the AutoMark. The counties who chose Diebold use optical scan equipment and the Diebold DRE. Both contracts are posted on the Secretary of State website at soswy.state.wy.us/election/hava/hava.htm.

Provisional Voting and Public Education:

In regards to provisional voting, Wyoming continues with the process established and utilized for the federal elections in 2004. In addition, Wyoming will also continue with its established process of providing information to the voting public. Both of these topics are addressed in full in the original state plan, have been implemented and remain in effect.

Computerized Statewide Voter Registration List:

As reported previously, Wyoming began the process of obtaining a statewide HAVA compliant voter registration list in March 2003. The Secretary of State appointed a Voter Registration Work Group, consisting of county clerks, county elections staff, county technology staff and Secretary of State employees. Four prominent vendors were invited to display their products to the Work Group. Based upon the Work Group's review of products, the top two vendors were selected. After an attempt to contract with the first choice vendor did not come to reasonable resolution in August 2003, negotiations began with the next vendor who eventually obtained the contract. The state entered into a contract with Accenture e-Democracy services on February 27, 2004. It was anticipated that roll out to counties would begin on September 12, 2005 and the system would be live in all counties by December 18, 2005. However, the state, in conjunction with county clerk representatives, made the decision not to deploy to counties because the software was not ready. Eventually the entire contract with Accenture was terminated in March 2006.

In August 2006, Wyoming provided the Department of Justice with both a short term and long term plan toward full HAVA compliance of a statewide voter registration system. The short term plan was implemented for the 2006 federal elections. The long term plan provided for selection of a vendor to implement a fully HAVA compliant voter registration system by December 2007.

Saber Corp was selected and began implementation of a system in April 2007. A fully compliant system was implemented by December 2007 with a few counties using the system for local elections in May 2008. The system is currently fully operable and will be in use for Wyoming's two federal elections in 2008; the Primary Election will be held August 19, 2008 and the General Election is November 4, 2008.

Voter Education, Election Official Training and Poll Worker Training:

There are many types of training to be conducted to meet HAVA requirements. The contracts for the statewide voter registration system and for both voting systems included a provision for training of those individuals who would use these systems.

In addition, the Secretary of State's Office holds an election conference every election year for training of county election officials. The training was most recently held on January 30-31, 2008.

Universal Access:

Although not a required part of a state's HAVA plan, Wyoming chose to address the issue of universal access to voting. As stated in the original plan, "The State of Wyoming values the participation of its citizens in the election process. Therefore, Wyoming commits to assuring that all citizens, including those with disabilities, can fully participate in the election process by casting their ballots confidentially and independently." Wyoming Protection & Advocacy System, Inc. (P&A) has been particularly helpful during the past two years, especially in educating individuals with disabilities to use new voting systems accurately and encouraging everyone to exercise their right to vote.

In addition, the state has received and disbursed over \$400,000 in federal Health and Human Services (HHS) funds to the counties and to P&A for use in assisting people with disabilities exercise their right and responsibility to vote. Activities have included polling place improvements, provision of assistive equipment and voter education.

Military and Overseas Citizens:

Another part of the HAVA plan which was not required but chosen to be included by Wyoming, concerns Military and overseas voters. Their needs were considered in the development of the statewide voter registration system, in the statutes which have been implemented, and by establishing the Secretary of State's Office as the single office responsible for providing information regarding voter registration procedures and absentee ballot procedures to be used by absent military and overseas voters. The State continues to acknowledge the value of our members of the armed forces and overseas workers and continues to encourage them to exercise their right of citizenship by voting.

Requirements Payments and Fund Management:

Wyoming was a “minimum funded” state under HAVA and therefore was scheduled to receive \$20 million in federal Title I and Title II funds. Since the last HAVA update, Wyoming has not received any additional federal HAVA funds. Therefore, to date, Wyoming remains at receipt of slightly over \$16.6 million. The State of Wyoming appropriated the full state match of \$750,000 in anticipation of receipt of the federal dollars. To date, approximately \$580,000 has been used to match the federal funds received.

Performance Goals and Measures:

Wyoming’s performance goals and measures were listed in the original state plan. Of those original seven goals, the state has met all of the original goals. The goals, as originally established, are listed below.

- Implement state based complaint procedure which meets the requirements of HAVA not later than September 2003
- Implement provisional voting which meets the requirements of HAVA not later than January 1, 2004.
- Implement voting information at polling places not later than January 1, 2004.
- Replace punch card/lever machines not later than January 1, 2006.
- Replace all central count voting equipment (except for the counting of absentee ballots) not later than January 1, 2006.
- Provide 1 DRE (touch screen) voting machine for every polling place not later than January 1, 2006. [All polling places will have accessible equipment, either a DRE or AutoMark (touch screen) machine.]
- Establish a computerized statewide voter registration system that meets the requirements of HAVA not later than January 1, 2006. (After termination of the original voter registration contract, this goal was met December 2007.)

State Plan Management:

As stated in the original plan, the Secretary of State is responsible for the ongoing management of Wyoming’s HAVA plan. However, the Secretary anticipated continued input from County Clerks and many other groups and interested parties. This indeed has continued to be the case. During the past year, county clerks and their staff have been integrally involved in monitoring the design, development, deployment and testing of the statewide voter registration system. County clerks and their staff have also been active in disbursement of the state’s HHS grants and use of those funds for polling place improvements.

As was anticipated and stated in the original plan, and is still true today, “Implementation of such an enormous project will evolve over time; we must address the far-reaching ramifications detail-by-detail and decision-by-decision. Full implementation of the vision will take shape day by day.”

Update to Help America Vote Act: Wyoming's State Plan Submitted December 2009



Max Maxfield
Secretary of State
State of Wyoming

Help America Vote Act Update to Wyoming's State HAVA Plan 2009 Reporting Period

Voter Registration:

During the reporting period, January 1, 2009 through September 30, 2009, Wyoming continued to contract with the vendor who built the Wyoming statewide voter registration system (Wyo-Reg). This year the contract required the vendor to provide hosting and maintenance for the system. The system is a redundant and secure system, hosted in two separate locations.

Since 2009 was a non-election year for Wyoming it was the right time to make some voter registration system modifications. These modifications included; additional reports to accommodate federal requests for information, primarily by the Election Assistance Commission (EAC); additional reports to provide information to private interest groups and to voting citizens, primarily pertaining to absentee voters; and a change to the system to retain information regarding merged voter records, for local election officials. The project manager who originally worked on the building of the system also provided minimal hours to assist with the 2009 modifications.

It is anticipated that this same statewide voter registration system will be used for elections in 2010 and beyond. Therefore, in accordance with the State HAVA Plan, Wyoming will continue to operate and maintain the statewide voter registration system.

HAVA Coordinator:

One employee is paid from HAVA funds to coordinate all HAVA activities. His primary responsibilities this year included: oversight of the statewide voter registration system modifications; oversight of all ongoing HAVA contracts; oversight of HAVA equipment and inventory; meeting federal reporting requirements and responding to constituent inquiries; and coordination of HAVA training efforts. All activities of the HAVA Coordinator are focused on the ongoing execution of the State HAVA Plan and improvement of the conduct of federal elections in Wyoming.

Election Education Activities:

The HAVA Coordinator, State Election Director and other State staff provided in-service for the local election officials at the Wyoming County Clerks Association Summer Meeting in

Evanston, Wyoming. Topics included HAVA funding; Wyo-Reg modifications; federal legislative updates; and topics related to the conduct of elections. An additional training which was held in October 2009 will be reported on in detail in the next reporting period.

In addition to these in-state training sessions, some funds were expended to send state election staff to HAVA related trainings.

Conclusion:

Wyoming continued to work during this reporting period to implement HAVA and to keep up with the ever changing and ever increasing demands for election information; and to assure that state and local election officials are aware of current changes, and trends for the future, so they can implement required changes within the quick timeframes demanded of the election community. It is anticipated that the amount of funds spent during the next reporting period will increase as Wyoming heads into another federal election year.

Date: December 21, 2009

Update to Help America Vote Act: Wyoming's State Plan Submitted March 2011



Max Maxfield
Secretary of State
State of Wyoming

This update to Wyoming's Help America Vote Act (HAVA) plan follows the original plan written September 2003 and the previous updates written August 2004, January 2005, September 2005, October 2007, June 2008 and Dec 2009. There were also reports to the U.S. Department of Justice on August 7, 2006 and May 29, 2007 providing updates about Wyoming's efforts and accomplishments toward full HAVA compliance. The original plan, subsequent updates, and information provided to the Department of Justice are posted on the Secretary of State's website at <http://soswy.state.wy.us/Elections/HAVA.aspx>. All required aspects of HAVA have been completed and all statewide elections are conducted in accordance with HAVA.

Voting Systems:

As previously reported, Wyoming met the standards set forth in Section 301 prior to January 1, 2006. Originally twenty counties chose Election Systems & Software (ES&S) and three counties chose Diebold Inc. which was later named Premier and then was finally purchased & acquired by ES&S. Since then, three counties began Hardware & Software Maintenance agreements in 2010 with Dominion Voting Systems (DVS). The original contracts are posted on the Secretary of State website at <http://soswy.state.wy.us/Elections/HAVA.aspx>.

Computerized Statewide Voter Registration List:

As reported previously, in August 2006, Wyoming provided the Department of Justice with both a short term and long term plan toward full HAVA compliance of a statewide voter registration system. The short term plan was implemented for the 2006 federal elections. The long term plan provided for selection of a vendor to implement a fully HAVA compliant voter registration system by December 2007.

Saber Corp was selected and began implementation of a system in April 2007. A fully compliant system was implemented by December 2007. The system has been used for two complete election cycles, 2008 & 2010. Saber Corp has since then been bought out by EDS, an HP company and Wyoming's voter registration system is now being hosted by Hewlett Packard (HP) Enterprise Services.

The Wyoming voter registration system has been improved since the last time we reported. This past year, the majority of these changes were to comply with the Military and Overseas Voter Empowerment Act (MOVE). Our statewide voter registration system now provides the County Clerks the ability to issue and then track an absentee ballot that was sent electronically. Also a report/export can be generated to display all the Uniformed Overseas Absentee Voting Act (UOCAVA) voters and their election activity, including whether they requested an electronic or paper ballot.

Military Overseas Voter Empowerment Act (MOVE):

Wyoming has met the requirements of MOVE in a variety of ways. As previously mentioned, our statewide voter registration system was enhanced to provide the functionality needed to comply with MOVE. In 2010, a workgroup comprised of the Secretary of State's staff and County Clerk

representatives developed a business process so Wyoming would administer MOVE uniformly across the state.

The Secretary of State issued three Statutory Directives: Directive #2010-01, 2010-03 & 2010-05 to the County Clerks based on the workgroups efforts. The Directives included the following:

- Making absentee ballots available to UOCAVA voters 45 days prior to the Primary and General Elections
- Electronically transmitting a blank ballot to a UOCAVA voter (when specifically requested by the voter and under certain instructions for transmittal)
- Providing special instructions for UOCAVA voters
- Processing returned ballots from UOCAVA voters in accordance with special instructions designed to preserve the integrity of the ballot, and tabulate the votes properly
- Documenting certain information to meet federal reporting requirements

In 2011, Wyoming's legislature passed SEA0009 which allows for an absentee ballot to be sent to UOCAVA voters electronically as well as requires the county clerks to have their ballots in-hand and ready to be sent to UOCAVA voters 45 days prior to any election.

Any UOCAVA voter can track the status of their ballot on the Secretary of State's website at the following link - http://soswy.state.wy.us/Elections/MOVE_Overview.aspx. The status of UOCAVA ballots are updated daily during the 45 day absentee period.

Voter Education, Election Official Training and Poll Worker Training:

There are many types of training to be conducted to meet HAVA requirements. The contracts for the statewide voter registration system and for both voting systems included a provision for training of those individuals who would use these systems.

Wyoming had three refresher trainings for our County Clerks on the statewide voter registration system in March and April of 2010. Each training was for three days and was for all users ranging from beginners to advanced users.

In addition, the Secretary of State's Office holds an election conference before every election year for training of county election officials. The training was most recently held on October 14-15, 2009 in preparation for the 2010 Election.

Requirements Payments and Fund Management:

Wyoming was a "minimum funded" state under HAVA and therefore was scheduled to receive \$20 million in federal Title I and Title II funds. Wyoming remains at receipt of slightly over \$18 million. The State of Wyoming appropriated the full state match of \$750,000 in anticipation of receipt of the Title II federal dollars. To date, approximately \$670,000 has been used to match the federal funds received.

Performance Goals and Measures:

Wyoming's performance goals and measures were listed in the original state plan. Of those original seven goals, the state has met all of the original goals. The goals, as originally established, are listed below.

- Implement state based complaint procedure which meets the requirements of HAVA not later than September 2003
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- Provide 1 DRE (touch screen) voting machine for every polling place not later than January 1, 2006. [All polling places will have accessible equipment, either a DRE or AutoMark (touch screen) machine.]
- Establish a computerized statewide voter registration system that meets the requirements of HAVA not later than January 1, 2006. (After termination of the original voter registration contract, this goal was met December 2007.)

State Plan Management:

As stated in the original plan, the Secretary of State is responsible for the ongoing management of Wyoming's HAVA plan. However, the Secretary anticipated continued input from County Clerks and many other groups and interested parties. This indeed has continued to be the case. Since Wyoming last reported, county clerks and their staff have continued to be integrally involved in monitoring the design, development, deployment and testing of the statewide voter registration system.

As was anticipated and stated in the original plan, and is still true today, "Implementation of such an enormous project will evolve over time; we must address the far-reaching ramifications detail-by-detail, and decision-by-decision."

Update to Help America Vote Act: Wyoming's State Plan Submitted December 2013



Max Maxfield
Secretary of State
State of Wyoming

This update to Wyoming's Help America Vote Act (HAVA) plan follows the original plan written September 2003 and the previous updates written August 2004, January 2005, September 2005, October 2007, June 2008, Dec 2009 and March 2011. There were also reports to the U.S. Department of Justice on August 7, 2006 and May 29, 2007 providing updates about Wyoming's efforts and accomplishments toward full HAVA compliance. The original plan, subsequent updates, and information provided to the Department of Justice are posted on the Secretary of State's website at <http://soswy.state.wy.us/Elections/HAVA.aspx>. All required aspects of HAVA have been completed and all statewide elections are conducted in accordance with HAVA.

Voting Systems:

As previously reported, Wyoming met the standards set forth in Section 301 prior to January 1, 2006. Originally twenty counties chose Election Systems & Software (ES&S) and three counties chose Diebold Inc. which was later named Premier and then was finally purchased & acquired by ES&S. Since then, three counties began Hardware & Software Maintenance agreements in 2010 with Dominion Voting Systems (DVS). For the 2012 Election Cycle, one county used DRE's exclusively in all of their polling places for each of their precincts. The original contracts are posted on the Secretary of State website at <http://soswy.state.wy.us/Elections/HAVA.aspx>

Computerized Statewide Voter Registration List:

As reported previously, in August 2006, Wyoming provided the Department of Justice with both a short term and long term plan toward full HAVA compliance of a statewide voter registration system. The short term plan was implemented for the 2006 federal elections. The long term plan provided for selection of a vendor to implement a fully HAVA compliant voter registration system by December 2007.

Saber Corp was selected and began implementation of a system in April 2007. A fully compliant system was implemented by December 2007. The system has been used for three complete election cycles, 2008, 2010 & 2012. Saber Corp was eventually bought out by EDS, an HP company, and then became acquired solely by Hewlett Packard. In March of 2011 Wyoming's voter registration system hosting and application support was transferred to Arikkan, Inc. Arikkan is presently hosting and providing application support for Wyoming's statewide voter registration system.

The Wyoming voter registration system has been improved since the last time we reported. The majority of improvements have been made to enhance the overall flow of the application particularly dealing with election day registrations and the voter purge process. We have made several modifications to reports specifically dealing with absentee information.

Voter Education, Election Official Training and Poll Worker Training:

There are many types of training to be conducted to meet HAVA requirements. The Secretary of State's office conducted two weeks of training on the statewide voter registration system in October of 2011 in preparation for the 2012 election. The Secretary of State's office is also planning training on the statewide voter registration system in March 2014 in preparation for the 2014 election cycle.

Requirements Payments and Fund Management:

Wyoming was a "minimum funded" state under HAVA and therefore was scheduled to receive \$20 million in federal Title I and Title II funds. Wyoming remains at receipt of slightly over \$18 million. The State of Wyoming appropriated the full state match of \$750,000 in anticipation of receipt of the Title II federal dollars. To date, approximately \$ 712,000 has been used to match the federal funds received.

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